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**PATENT**  
Docket No.: 015258-033700US  
Client Ref. No.: KS/Pat/P.6827/K&Pa

TOWNSEND and TOWNSEND and CREW LLP

By: Lata Olivier  
Lata Olivier

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Reto Schoeb

Application No.: 09/127,644

Filed: July 13, 1998

For: MAGNETICALLY JOURNALLED  
ROTATIONAL ARRANGEMENT  
INCLUDING A ROTOR FOR  
GENERATING A UNIPOLAR BIAS  
MAGNETIC FLUX

Customer No.: 20350

Examiner: Tamai, K.

Art Unit: 2834

**PETITION TO WITHDRAW HOLDING  
OF ABANDONMENT UNDER 37 C.F.R.  
1.181(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed December 6, 2004,  
Applicant respectfully requests withdrawal of the holding of abandonment.

Pursuant to MPEP §1214.06, II, it is respectfully submitted that since the present application included allowed claims during the appeal process, the Examiner should have issued the application after the two months for appealing the Board of Appeal Decision had expired. Instead, a Notice of Abandonment was issued.

Reto Schoeb  
Application No.: 09/127,644  
Page 2

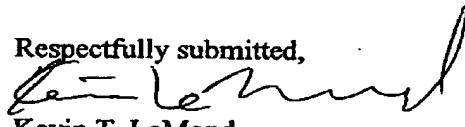
PATENT

CONCLUSION

In view of the foregoing, Applicant respectfully requests withdrawal of the holding of abandonment. No fee is believed to be due, however, if any fee is due, please charge deposit account no. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,

  
Kevin T. LeMond  
Reg. No. 35,933

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
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Docket No.: 015258-033700US  
Client Ref. No.: KS/Pat/P.6827/Ke/Pa

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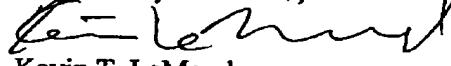
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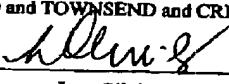
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Commissioner for Patents  
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Alexandria, VA 22313-1450

On February 16, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: 

Lata Olivier

**PATENT**  
Attorney Docket No.: 015258-033700US  
Client Ref. No.: P.6826

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:**

Reto Schoeb

Application No.: 09/127,644

Filed: July 31, 1998

For: MAGNETICALLY JOURNALLED  
ROTATIONAL ARRANGEMENT  
INCLUDING A ROTOR FOR  
GENERATING A UNIPOLAR BIAS  
MAGNETIC FLUX

Customer No.: 20350

**Confirmation No.**

Examiner: Tamai, K.

Technology Center/Art Unit: 2834

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Decision on Appeal mailed September 27, 2004, please enter  
the following amendments and remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this  
paper.

**Remarks/Arguments** begin on page 6 of this paper.

Appl. No. 09/127,644  
Amdt. dated February 16, 2005  
Reply to Decision on Appeal of September 27, 2004

PATENT

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

Please cancel claims 1-22.

- 1
  - 2
  - 3
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  - 6
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  - 15
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  - 17
23. (New) A magnetically journalled rotational arrangement comprising a substantially disc-shaped or ring-shaped magnetically journalled rotor and a stator comprising:  
means for generating a field, wherein said field produces rotation of the rotor having means for generating a unipolar bias magnetic flux spatially modulated when viewed in the circumferential direction; and  
a plurality of permanent magnets arranged to cooperate with the means provided on the rotor generating the spatially modulated bias magnetic flux and producing or reinforcing the magnetic journalling of the rotor,  
wherein the stator effecting the magnetic journalling of the rotor surrounds the ring or disc-shaped rotor,  
wherein the stator plane and the rotor plane coincide and from a bearing plane, and  
wherein the means for generating the field are arranged in the segments between the permanent magnets in the stator so that the motor plane in which the rotation of the rotor is produced and the bearing plane in which the journalling of the rotor is produced coincide.

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Amdt. dated February 16, 2005  
Reply to Office Action of September 27, 2004

PATENT

1           24. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 means for the production of the field which effects the rotation of the rotor and which is arranged  
3 in the segments between the permanent magnets has U-shaped coil cores with windings, with the  
4 U-shaped coil cores being arranged in the bearing plane.

1           25. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 means for the production of the field which effects the rotation of the rotor and which is arranged  
3 in the segments between the permanent magnets has U-shaped coil cores with windings, with the  
4 U-shaped coil cores being arranged perpendicular to the bearing plane.

1           26. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 permanent magnets are arranged at both sides of the disc-shaped or ring-shaped rotor.

1           27. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 permanent magnets have an axial or a radial magnetization.

1           28. (New) A rotational arrangement in accordance with claim 23 wherein  
2 permanent magnets are provided both on the rotor and on the stator; and wherein both the  
3 permanent magnets provided on the rotor and the permanent magnets arranged on the stator are  
4 magnetized in the axial direction.

1           29. (New) A rotational arrangement in accordance with claim 23 wherein  
2 permanent magnets are provided both on the rotor and on the stator; and wherein both the  
3 permanent magnets provided on the rotor and the permanent magnets arranged on the stator are  
4 magnetized in the radial direction.

1           30. (New) A rotational arrangement in accordance with claim 23 wherein  
2 permanent magnets are provided both on the rotor and on the stator; and wherein the permanent  
3 magnets provided on the rotor are magnetized in the axial direction while the permanent magnets  
4 arranged on the stator are magnetized in the radial direction or vice versa.

Appl. No. 09/127,644  
Amtd. dated February 16, 2005  
Reply to Office Action of September 27, 2004

PATENT

1           31. (New) A rotational arrangement in accordance with claim 23 wherein  
2 control windings are provided in the stator in order to control the spatially modulated unipolar  
3 bias magnetic flux.

1           32. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 stator producing the magnetic journalling of the rotor is designed to be substantially ring-shaped  
3 and surrounds the ring or disc-shaped rotor, with the stator plane and the rotor plane coinciding  
4 and forming the bearing plane; and wherein the stator comprises at least one further ring or disc-  
5 shaped motor stator which is arranged in a motor plane parallel to the bearing plane.

1           33. (New) A magnetically journalled rotational arrangement comprising a  
2 substantially disc-shaped or ring-shaped magnetically journalled rotor and  
3 a stator comprising:

4                 means for generating a field, wherein said field produces rotation of the  
5 rotor having means for generating a unipolar bias magnetic flux spatially modulated when  
6 viewed in the circumferential direction; and

7                 a plurality of permanent magnets arranged on both sides of the rotor to  
8 cooperate with the means provided on the rotor generating the spatially modulated bias magnetic  
9 flux and producing or reinforcing the magnetic journalling of the rotor,

10                 wherein the stator plane and the rotor plane coincide and from a bearing  
11 plane, and

12                 wherein the stator producing the magnetic journalling of the rotor  
13 surrounds the ring or disc-shaped rotor, and

14                 the stator further comprises two ring-shaped motor stators, wherein the  
15 first motor stator is arranged in a first motor plane parallel to the bearing plane on the one side of  
16 the bearing stator and the second motor stator in a second motor plane parallel to the bearing  
17 plane.

Appl. No. 09/127,644  
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PATENT

1           34. (New) A magnetically journalled rotational arrangement comprising a  
2 substantially disc-shaped or ring-shaped magnetically journalled rotor and  
3 a stator comprising:

4                 means for generating a field, wherein said field produces rotation of the  
5 rotor having means for generating a unipolar bias magnetic flux spatially modulated when  
6 viewed in the circumferential direction; and

7                 a plurality of permanent magnets arranged to cooperate with the means  
8 provided on the rotor generating the spatially modulated bias magnetic flux and producing or  
9 reinforcing the magnetic journalling of the rotor,

10                 wherein the stator plane and the rotor plane coincide and from a bearing  
11 plane, and

12                 wherein the stator producing the magnetic journalling of the rotor  
13 surrounds the ring or disc-shaped rotor, and

14                 the stator further comprises a disc-shaped motor having a disc rotor  
15 winding and arranged in a motor plane parallel to the bearing plane.

1           35. (New) A rotational arrangement in accordance with claim 23 wherein the  
2 means for the production of the field which effects the rotation of the rotor comprises a rotatable  
3 drive which can be magnetically coupled to the rotor and the axis of rotation of which coincides  
4 with the axis of rotation of the rotor.

1           36. (New) A rotational arrangement in accordance with claim 35 wherein the  
2 drive comprises permanent magnets which are magnetized in the axial direction.

1           37. (New) A rotational arrangement in accordance with claim 35 wherein the  
2 drive comprises permanent magnets which are magnetized in the radial direction.

Appl. No. 09/127,644  
Amtd. dated February 16, 2005  
Reply to Decision on Appeal of September 27, 2004

PATENT

**REMARKS/ARGUMENTS**

Claims 23-38 were pending. However, the Examiner has issued a Notice of Abandonment.

Pursuant to MPEP §1214.06, II, Applicant hereby respectfully requests the withdrawal of the Abandonment of this application. It is respectfully submitted that since the present application included allowed claims during the appeal process, the Examiner should have issued the application after the two month for appealing the Board of Appeal Decision had expired. Instead, a Notice of Abandonment was issued. Applicant submits herewith the appropriate petition under 37 CFR §1.181(a).

Pursuant to 37 C.F.R. 1.198; Applicant has filed herewith a Request for Continued Examination and paid the fee in accordance with 37 C.F.R. 1.17(e). Applicant has cancelled the claims pending in this application and rewritten allowed claims 11, 15 and 16 as new claims 23, 33 and 34, respectively. The remaining claims depend upon one of the allowed independent claims. In rewriting the allowed independent claims, the feature that the stator "is designed to be substantially ring shaped" was omitted since this feature does not lend to the patentability of the claims.

Appl. No. 09/127,644  
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PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Kevin T. LeMond  
Reg. No. 35,933

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
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Page 7 of 8

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Atty Docket No. 015258-033700US

PTO FAX NO.: 1 703 872-9306

ATTENTION: Examiner Tamai, K.

Group Art Unit 2834

**OFFICIAL COMMUNICATION  
FOR THE PERSONAL ATTENTION OF  
EXAMINER Tamai, K.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of Reto Schoeb, Application No. 09/127,644, filed July 31, 1998 for MAGNETICALLY JOURNALLED ROTATIONAL ARRANGEMENT INCLUDING A ROTOR FOR GENERATING A UNIPOLAR BIAS MAGNETIC FLUX are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Request for Continued Examination
2. Amendment
3. Petition to Withdraw Holding of Abandonment

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ATTENTION: Examiner Tamai, K.	Group Art Unit 2834

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**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER Tamai, K.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

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2. Amendment  
3. Petition to Withdraw Holding of Abandonment

Number of pages being transmitted, including this page: 13

Dated: 2/16/05 Lena Olivier  
Lena Olivier

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Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
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Atty Docket No. 015258-033700US

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ATTENTION: Examiner Tamai, K.

Group Art Unit 2814

**OFFICIAL COMMUNICATION  
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Per our telephone conversation of today to the Patent Office we were instructed to resend the attached documents.

Documents Attached

1. This Transmittal Form (2 pages)
2. Copy of 2/16/05 Certificate of Facsimile Transmission (1 page)
3. Copy of 2/16/05 - Request for Continued Examination (1 page submitted in duplicate)
4. Copy of 2/16/05 Petition to Withdraw Holding of Abandonment (2 pages submitted in

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

**Address to:**  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	09/127,644
Filing Date	July 31, 1998
First Named Inventor	Schoeb, Reto
Art Unit	2834
Examiner Name	Tamai, K.
Attorney Docket Number	015258-033700US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/ Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Petition to Withdraw Holding

2. **Miscellaneous**

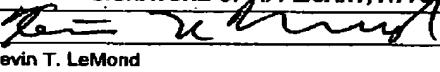
- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
  - i.  RCE fee required under 37 CFR 1.17(e)
  - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

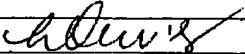
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	2/16/05
Name (Print /Type)	Kevin T. LeMond	Registration No.	35,933

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Signature	
Name (Print /Type)	Lata Olivier

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/127,644
Filing Date	July 31, 1998
First Named Inventor	Schoeb, Reto
Art Unit	2834
Examiner Name	Tamai, K.
Attorney Docket Number	015258-033700US

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  - I.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - II.  Other \_\_\_\_\_
- b.  Enclosed
  - I.  Amendment/Reply
  - II.  Affidavit(s)/ Declaration(s)
  - III.  Information Disclosure Statement (IDS)
  - IV.  Other Petition to Withdraw Holding \_\_\_\_\_

**2. Miscellaneous**

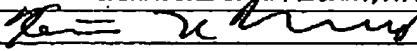
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- b.  Other \_\_\_\_\_

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- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
  - i.  RCE fee required under 37 CFR 1.17(e)
  - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

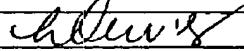
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	2/16/05
Name (Print /Type)	Kevin T. LeMond	Registration No.	35,933

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Signature	
Name (Print /Type)	Lata Olivier

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